

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

DAVID RUSSELL

PLAINTIFF

v.

CASE NO: 2:12CV00107 BSM/JTK

BREEDLOVE, *et al.*

DEFENDANTS

ORDER

The proposed findings and partial recommended disposition [Doc. No. 7] submitted by United States Magistrate Judge Jerome T. Kearney have been reviewed. No objections have been filed. After careful consideration and a *de novo* review of the record, it is found that the proposed findings and partial recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS THEREFORE ORDERED THAT:

1. Defendant Wendy Kelly be dismissed from this action with prejudice.
2. It is certified that an *in forma pauperis* appeal taken from this order is considered frivolous and not in good faith.

Dated this 19th day of October 2012.


UNITED STATES DISTRICT JUDGE